

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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NANCY C. JOHNSON,

Plaintiff,

v.

UNITED STATES POSTAL SERVICE,  
NATIONAL RURAL LETTER CARRIER'S  
ASSOCIATION, VICKI GLAGOWSKI,  
JOE KAUFMAN and CHRIS KOTTKE,

Defendants.

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ORDER

12-cv-127-slc

Plaintiff Nancy Johnson has filed a proposed civil complaint. Plaintiff has asked for leave to proceed *in forma pauperis* and has supported her request with an affidavit of indigency. The standard for determining whether plaintiff qualifies for indigent status is the following:

- From plaintiff's annual gross income, the court subtracts \$3700 for each dependent excluding the plaintiff.
- If the balance is less than \$16,000, the plaintiff may proceed without any prepayment of fees and costs.
- If the balance is greater than \$16,000 but less than \$32,000, the plaintiff must prepay half the fees and costs.
- If the balance is greater than \$32,000, the plaintiff must prepay all fees and costs.
- Substantial assets or debts require individual consideration.

In this case, plaintiff has two dependents. Her monthly income is \$2,600 and her husband's monthly income is \$2,717.67. Under Wisconsin's marital property laws, plaintiff's husband's income is considered to be plaintiff's as well. Thus, plaintiff's annual income is

\$63,812.04. Plaintiff's balance comes to \$56,412.04, after subtracting \$7,400 for two dependents. Because plaintiff's income is greater than \$32,000, if she wishes to proceed with this action, she will have to pay the \$350 filing fee in full.

ORDER

IT IS ORDERED that plaintiff Nancy Johnson's request for leave to proceed *in forma pauperis* in this action is DENIED because plaintiff does not qualify for indigent status.

Further, IT IS ORDERED that plaintiff may have until March 20, 2012, in which to pay the \$350 fee for filing her lawsuit. If, by March 20, 2012, plaintiff fails to pay the fee, the clerk of court is directed to enter judgment dismissing this case without prejudice for plaintiff's failure to prosecute it.

Entered this 24<sup>th</sup> day of February, 2012.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge